

UNITED STATES DISTRICT COURT
THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: DAVOL, INC./C.R. BARD,
INC., POLYPROPYLENE HERNIA
MESH PRODUCTS LIABILITY
LITIGATION

Case No. 2:18-md-2846

Judge Edmund A. Sargus, Jr.
Magistrate Judge Kimberly A. Jolson

This document relates to:
Phelps v. Davol, Inc. et al.
Case No. 2:21-cv-3781

ORDER

On November 8, 2022, the Court ordered Plaintiff to perfect service pursuant to Civil Rule 4. (ECF No. 3.) On November 22, 2022, Defendants filed a notice that Plaintiff had not complied with the Court's order. (ECF No. 4.) Therefore, Defendants' Motion to Dismiss for Failure to Serve Complaint (ECF No. 4) is **GRANTED** and Plaintiff's case is **DISMISSED WITHOUT PREJUDICE**. Defendants' original motion to dismiss (ECF No. 2) is **DENIED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

2/13/2023
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE